

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH  
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION NO : 6493 of 2005**

Between:

B.Ramagopal, S/o. B.V.Satyanarayana Murthy,  
2-1-565/B, University Road, Hyderabad - 500 044.

**..... PETITIONER**

AND

- 1 The Special Officer, Municipal Corporation of Hyderabad,  
MCH Buildings, Tank Bund Road, Hyderabad.
- 2 The Chief City Planner, Municipal Corporation of Hyderabad,  
MCH Buildings Tank Bund Road, Hyderabad.
- 3 The Asst. City Planner, M.C.H., Circle # 3, Barkatpura,  
Hyderabad.
- 4 The Dy. Commissioner, M.C.H., Circle # 3, Barkatpura,  
Hyderabad.
- 5 P.Satyanarayana, S/o. Not Known,  
2-1-566, University Road, Nallakunta, Hyderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a appropriate Writ, order or direction declaring the inaction on the part of respondents 1 to 4 in not demolishing the unauthorised constructions made by the 5th respondent on the northern and eastern sides of petitioner's compound wall, in not removing the granite stone wall put up by the 5th respondent blocking the passage on the eastern side and in not demolishing the unauthorised constructions made by the 5th respondent on north and eastern sides of petitioner's plot, the further action of the 5th respondent in demolishing a portion of the eastern side of the compound wall and totally demolishing the northern compound wall and encroaching into petitioner's plot admeasuring 99 sq.yards., situated behind H.No.2-1-565/6B, University Road, Nallakunta, Hyderabad-44, contrary to the Bye-laws and zoning regulations, as arbitrary, illegal, unjust , violative of the orders passed by this Hon'ble Court dt. 07.09.1995 in W.P.No.20235/1995 and order dt. 05.07.1996 in C.C.No.324/1996, violative of the Fundamental Rights guaranteed to the petitioner under Articles 14 and 21 of the constitution of India and issue a consequential direction to the respondents to forthwith remove the said constructions and obstructions.

**Counsel for the Petitioner : MR.S.SRINIVAS REDDY**

**Counsel for the Respondent Nos. 1 to 4: MR.G.RAMA RAO**

**Counsel for the Respondent No.5 :**

**The Court at the stage of admission, made the following :**

**ORDER:**

Aggrieved by the alleged inaction on the part of the respondents 1 to 4 in considering the representation made by the petitioner dated 28.02.2005 complaining about the unauthorized and illegal constructions being made by the 5<sup>th</sup> respondent in H.No.2-1-565/6B, University Road, Nallakunta, Hyderabad, this writ petition is filed.

Having heard the learned counsel for the petitioner, the learned Government Pleader for Revenue and having regard to the nature of the controversy involved in the writ petition, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to respondents 1 to 4 to consider the representation of the petitioner dated 28.02.2005 and pass appropriate orders in accordance with law, after affording due opportunity to the 5<sup>th</sup> respondent to rebut the allegations made by the petitioner, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No order as to costs.

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**G.ROHINI, J**

**Dt: 28.03.2005**

bsv

To

1 The Special Officer, Municipal Corporation of Hyderabad,

MCH Buildings, Tank Bund Road, Hyderabad.

- 2 The Chief City Planner, Municipal Corporation of Hyderabad,  
MCH Buildings Tank Bund Road, Hyderabad.
- 3 The Asst. City Planner, M.C.H., Circle # 3, Barkatpura,  
Hyderabad.
- 4 The Dy. Commissioner, M.C.H., Circle # 3, Barkatpura,  
Hyderabad.
- 5 Two CD copies